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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/282,516	03/31/1999	VINCENT K. JONES IV	CISC621	8727

26541 7590 05/22/2002

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EXAMINER

TRAN, KHAI

ART UNIT

PAPER NUMBER

2631

DATE MAILED: 05/22/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/282,516

Applicant(s)

JONES ET AL.

Examiner

KHAI TRAN

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-11 and 17 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 12-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.

- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Page 8, line 13, the term "transmitter system 302" should be --transmitter system 300--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 12-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Heergard et al (U.S. Pat. 5,790,570).

Regarding claims 1, and 12, Heergard et al disclose a transmitter system in a digital communication system employing a transmission medium shared among multiple users, comprising: a first encoder (an encoder 20) for encoding data related to coordinating access to the transmission medium according to a first encoding schemes; a second encoder (an encoder 22) for encoding data not related to coordinating access

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to the transmission medium according to a second encoding schemes; a control system a parser (14) for allocating transmission time between output of the first encoder and the second encoder; transmitting responsive to output by either the first encoder or the second encoder (QAM mapper 18 for selecting either the first encoder or the second encoder.

Regarding claims 2, and 13, Heergard et al also disclose the first encoding schemes and the second encoding schemes comprising convolutional encoding schemes (a binary convolutional encoder (BCC), see col. 3, lines 32-52).

Regarding claims 3, and 14, Heergard et al disclose the first encoding schemes and the second encoding schemes comprising trellis encoding schemes (a trellis encoder (22)).

Regarding claims 4-5, and 15-16, Heergard et al disclose the first encoding schemes and the second encoding schemes comprising block encoding schemes (a Reed-Solomon encoder (20)).

Allowable Subject Matter

4. Claims 7-11, and 17 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter: none of the prior art of the record discloses a receiver system in a digital communication system employing a transmission medium shared among multiple

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users, comprising: a first decoder for decoding data related to coordinating access to the transmission medium according to a first encoding schemes; a second decoder for decoding data related to coordinating access to the transmission medium according to a second encoding schemes; and a control system for selecting output of either the first or the second decoder for reception.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ojard et al (U.S. Pat. 6,266,350) disclose an off-line broadband network interface.

Wei (U.S. Pat. 6,351,832) discloses a turbo code symbol interleaver.

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

or:

(703) 308-6743, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Khai Tran** whose telephone number is **(703) 305-1876**. The examiner can normally be reached on Monday-Thursday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chi Pham**, can be reached on **(703) 305-4378**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.


Khai Tran
Patent Examiner

KI
May 17, 2002